

**U.S. District Court  
Eastern District of New York (Central Islip)  
CIVIL DOCKET FOR CASE #: 2:13-cv-06354-SJF-WDW**

7-Eleven, Inc. v. Baig et al  
Assigned to: Judge Sandra J. Feuerstein  
Referred to: Magistrate Judge William D. Wall  
Demand: \$150,000  
Cause: 28:1332 Diversity-Other Contract

Date Filed: 11/18/2013  
Jury Demand: None  
Nature of Suit: 196 Contract:Franchise  
Jurisdiction: Diversity

**Receiver**

**Daniel Kaepernik**

**Plaintiff**

**7-Eleven, Inc.**

represented by **Stephen Sussman**  
Duane Morris LLP  
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**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Farrukh Baig**

**Defendant**

**Bushra Baig**

represented by **John P Tumelty**  
Tumelty & Spier LLP  
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Suite 708  
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**LEAD ATTORNEY**  
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**Defendant**

**Azhar Zia**

**Defendant**

**Aby's Enterprises Ltd.**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
11/18/2013	<u><a href="#">1</a></u>	COMPLAINT against All Defendants Disclosure Statement on Civil Cover Sheet completed -Yes,, filed by 7-Eleven, Inc.. (Attachments: # <u><a href="#">1</a></u> Civil Cover Sheet) (McMahon, Carol) (Entered: 11/25/2013)
11/25/2013		The case of <b>7-Eleven, Inc. v. Baig et al</b> , has been opened in the Eastern District of New York. The case number is <b>13cv6354(ADS)(GRB)</b> . PLEASE NOTE: You must pay the case filing fee <b>within seven (7) days</b> . Select the event (Civil Case Filing Fee) and pay online. (McMahon, Carol) (Entered: 11/25/2013)
11/25/2013	<u><a href="#">2</a></u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <b>only if all</b> parties wish to consent. The form may also be accessed at the following link: <a href="http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf">http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf</a> . <b>You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.</b> (McMahon, Carol) (Entered: 11/25/2013)
11/25/2013	<u><a href="#">3</a></u>	Notice of Related Case indicated on the civil cover sheet. (McMahon, Carol) (Entered: 11/25/2013)
11/25/2013		CIVIL CASE FILING FEE: \$ 400, receipt number 0207-6576680 (Sussman, Stephen) (Entered: 11/25/2013)
11/25/2013	<u><a href="#">4</a></u>	Summons Issued as to Aby's Enterprises Ltd., Bushra Baig, Farrukh Baig, Azhar Zia. (Attachments: # <u><a href="#">1</a></u> Rider to Summons) (McMahon, Carol) (Entered: 11/25/2013)
11/26/2013	<u><a href="#">5</a></u>	MOTION to Appoint Receiver <i>and Issuance of a Temporary Restraining Order</i> by 7-Eleven, Inc.. (Attachments: # <u><a href="#">1</a></u> Memorandum in Support of Plaintiff's Motion for Appointment of Receiver and Issuance of a Temporary Restraining Order, # <u><a href="#">2</a></u> Declaration of Daniel Kaepernik for (A) the Appointment of a Receiver and (B) a Temporary Restraining Order, # <u><a href="#">3</a></u> Exhibit A to Kaepernik Declaration, # <u><a href="#">4</a></u> Exhibit B to Kaepernik Declaration, # <u><a href="#">5</a></u> Exhibit C to Kaepernik Declaration, # <u><a href="#">6</a></u> Exhibit D to Kaepernik Declaration,



		# <u>7</u> Exhibit E to Kaepernik Declaration, # <u>8</u> Exhibit F to Kaepernik Declaration, # <u>9</u> Exhibit G to Kaepernik Declaration, # <u>10</u> Exhibit H to Kaepernik Declaration, # <u>11</u> Exhibit I to Kaepernik Declaration, # <u>12</u> Exhibit J to Kaepernik Declaration, # <u>13</u> Exhibit K to Kaepernik Declaration, # <u>14</u> Exhibit L to Kaepernik Declaration, # <u>15</u> Exhibit M to Kaepernik Declaration, # <u>16</u> Exhibit N to Kaepernik Declaration, # <u>17</u> Exhibit O to Kaepernik Declaration, # <u>18</u> Exhibit P to Kaepernik Declaration, # <u>19</u> Exhibit Q to Kaepernik Declaration) (Sussman, Stephen) (Entered: 11/26/2013)
11/27/2013		ORDER REASSIGNING CASE. Case reassigned to Judge Sandra J. Feuerstein and Magistrate Judge William D. Wall for all further proceedings as related to 13-cr-351 and 13-cr-352. Judge Arthur D. Spatt, Magistrate Judge Gary R. Brown no longer assigned to case. Ordered by Chief Judge Carol Bagley Amon on 11/27/2013. (Gapinski, Michele) (Entered: 11/27/2013)
11/27/2013	<u>6</u>	ORDER TO SHOW CAUSE re <u>5</u> MOTION to Appoint Receiver <i>and Issuance of a Temporary Restraining Order</i> filed by 7-Eleven, Inc. IT IS HEREBY ORDERED that defts Farrukh Baig, Bushra Baig, Azhar Zia, and Aby's Enterprises Ltd. ("defts"), or their attorneys, show cause before this Court, at the Courthouse thereof, 100 Federal Plaza, Central Islip, New York 11722, Courtroom 1010, on the 5th day of December, 2013 at 11:00 am or as soon thereafter as counsel can be heard, why an Order should not be made and entered. IT IS FURTHER ORDERED, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, pending the determination of the hearing on 7-Eleven's motion for the appointment of a Receiver, that defts, and all persons acting in concert with them, BE AND THEY ARE TEMPORARILY RESTRAINED from: Entering the Store premises; Interfering with 7-Eleven's continuing operation of the Stores; and Destroying any store-related records. IT IS HEREBY FURTHER ORDERED, sufficient cause having been shown, that personal service of this Order to Show Cause, together with the papers upon which it was granted, shall be good and sufficient if delivered to defts' last known residence, or to the office of counsel for defts, on or before 5:00 PM on 12/2/2013. IT IS FURTHER ORDERED that any papers in opposition to the application for the appointment of a Receiver shall be served and filed with this Court on or before 5:00 pm on 12/4/2013. IT IS FURTHER ORDERED that plaintiff shall post security in the amount of \$500,000.00 prior to November 27, 2013 at 5:00 pm. Ordered by Judge Sandra J. Feuerstein on 11/27/2013. (Florio, Lisa) (Entered: 11/27/2013)
11/27/2013	<u>7</u>	Undertaking on Temporary Restraining Order BOND in the amount of \$ 500,000.00 posted by 7-Eleven, Inc. (Sussman, Stephen) Clerk's Office checked and the bonding company is authorized to write bonds in the dollar amount specified. Modified on 12/4/2013 (McMahon, Carol). (Entered: 11/27/2013)
12/04/2013		Original bond received and placed in the vault. (see doc# 7) (McMahon, Carol) (Entered: 12/04/2013)
12/04/2013	<u>8</u>	NOTICE of Appearance by John P Tumelty on behalf of Bushra Baig (aty to be noticed) (Tumelty, John) (Entered: 12/04/2013)
12/04/2013	<u>9</u>	SUMMONS Returned Executed by 7-Eleven, Inc.. Azhar Zia served on

		11/29/2013, answer due 12/20/2013. (Attachments: # <u>1</u> Certificate of Service) (Sussman, Stephen) (Entered: 12/04/2013)
12/04/2013	<u>10</u>	SUMMONS Returned Executed by 7-Eleven, Inc.. Bushra Baig served on 12/2/2013, answer due 12/23/2013. (Attachments: # <u>1</u> Certificate of Service) (Sussman, Stephen) (Entered: 12/04/2013)
12/04/2013	<u>11</u>	SUMMONS Returned Executed by 7-Eleven, Inc.. Farrukh Baig served on 12/2/2013, answer due 12/23/2013. (Attachments: # <u>1</u> Certificate of Service) (Sussman, Stephen) (Entered: 12/04/2013)
12/04/2013	<u>12</u>	DECLARATION of <i>Susan V. Metcalfe</i> by 7-Eleven, Inc. (Attachments: # <u>1</u> Certificate of Service) (Sussman, Stephen) (Entered: 12/04/2013)
12/05/2013	<u>13</u>	ORDER granting <u>5</u> Preliminary Injunction Appointing Receiver. Daniel Kaepernik appointed. Ordered by Judge Sandra J. Feuerstein on 12/5/2013. (Florio, Lisa) (Entered: 12/06/2013)
12/06/2013	<u>14</u>	Minute Entry for proceedings held before Judge Sandra J. Feuerstein: Show Cause Hearing held on 12/6/2013. Case called. Order entered on the record. (Court Reporter Mary Ann Steiger.) (Florio, Lisa) (Entered: 12/06/2013)
12/11/2013	<u>15</u>	SUMMONS Returned Executed by 7-Eleven, Inc.. Aby's Enterprises Ltd. served on 12/3/2013, answer due 12/24/2013. (Sussman, Stephen) (Entered: 12/11/2013)

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PACER Login:	lb0494	Client Code:	7-Eleven
Description:	Docket Report	Search Criteria:	2:13-cv-06354-SJF-WDW
Billable Pages:	3	Cost:	0.30